

**AGREED RECORD OF CONCLUSIONS OF FISHERIES CONSULTATIONS  
BETWEEN THE EUROPEAN UNION AND NORWAY ON THE  
MANAGEMENT OF MACKEREL IN THE NORTH-EAST ATLANTIC FOR 2012**

**CLONAKILTY, 9 DECEMBER 2011**

1. A Delegation from the European Union, headed by Mr John SPENCER, and a Delegation from Norway, headed by Ms Ann Kristin WESTBERG, met in Clonakilty on 9 December 2011 to consult on the management of mackerel in the North-East Atlantic for 2012.
2. The Delegations exchanged views on the management of North-East Atlantic mackerel and in particular, on the Coastal State consultations held between the European Union, the Faroe Islands, Iceland and Norway during 2011. They expressed their disappointment that the Coastal State consultations have so far proved inconclusive. They considered that the absence of a Coastal State agreement would undermine the status of the stock and reiterated the principle that fisheries of North-East Atlantic mackerel should be jointly managed and be subject to an effective catch limitation in line with scientific advice.
3. Noting that the Coastal State consultations would resume in January 2012, the Delegations agreed that they would work jointly towards reaching agreement on a definitive Coastal State arrangement for 2012.
4. The Delegations recalled the Agreed Record of Conclusions of Fisheries Consultations between the European Union and Norway on the management of mackerel in the North-East Atlantic, signed on 26 January 2010, as well as the Agreed Record of Fisheries Consultations between Norway and the European Union for 2012, signed in Bergen on 2 December 2011.
5. In view of the resumption of the Coastal State consultations in January 2012, the Delegations agreed to recommend to their respective authorities the provisional arrangements for the management of mackerel in the first quarter of 2012, as set out in Annexes I to III of this Agreed Record, in order to conduct the traditional spring mackerel fisheries.

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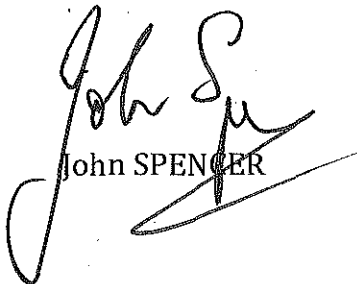
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6. The Delegations agreed that should the Coastal States be unable to agree on a Coastal State arrangement for 2012 at their meeting in January 2012, the European Union and Norway would consult immediately in order to establishing a definitive bilateral arrangement for mackerel in 2012. Such an arrangement would be based on a similar structure, principles and levels, as was agreed bilaterally for the 2011 arrangement, and would define the final catch limits for the European Union and Norway respectively for 2012.
  
7. Furthermore, the Delegations agreed that the arrangements set out in this Agreed Record are *ad hoc* measures without prejudice to future arrangements. The final allocation for 2012 between the Parties shall be in accordance with the allocation set out in point 4.1 of the Agreed Record between the European Union and Norway on the Management of Mackerel in the North-East Atlantic of 26 January 2010. Furthermore, the access and transfer arrangements will also be adjusted in accordance with the same Agreed Record.

Clonakilty, 9 December 2011

For the European Union Delegation

For the Delegation of Norway

  
John SPENCER

  
Ann Kristen WESTBERG

**PROVISIONAL ARRANGEMENTS FOR THE REGULATION OF THE  
FISHERIES OF MACKEREL IN THE FIRST QUARTER OF 2012**

1. In accordance with the arrangement on the long-term management of mackerel stock set out in Annex III, the Delegations agreed to recommend the following provisional catch limits to cover the traditional level of mackerel catches in the spring during the period 1 January to 31 March 2012:

European Union - 320,000 tonnes

Norway - 100,000 tonnes

The above ratio is not intended to reflect the ratio laid down in the sharing arrangement set out in the Agreed Record of Conclusions of Fisheries Consultations between the European Union and Norway on the management of mackerel in the North-East Atlantic, signed on 26 January 2010, but is an *ad hoc* ratio to reflect the respective fishing patterns of both Parties in the first quarter of the year.

These catch levels will be supplemented in accordance with the definitive arrangements referred to under point 5 of this Annex.

2. Each Party may transfer to the following year unutilised quantities of up to 10% of the quota allocated to it. The quantity transferred shall be in addition to the quota allocated to the Party concerned in the following year. This quantity cannot be transferred further to the quotas for subsequent years.
3. Each Party may authorise fishing by its vessels of up to 10% beyond the quota allocated. All quantities fished beyond the allocated quota for one year shall be deducted from the Party's quota allocated for the following year.
4. The Parties may fish mackerel within the catch limits laid down in paragraph 1 in their respective zones of fisheries jurisdiction and in international waters.
5. The definitive arrangements on the regulation of the fisheries of mackerel in 2012 will be agreed either in the context of an agreement on arrangements by the Coastal States or, in the absence of such an agreement, through bilateral arrangements between the European Union and Norway on fisheries of mackerel for 2012.

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**PROVISIONAL ACCESS AND TRANSFER ARRANGEMENTS FOR THE  
FISHERIES OF MACKEREL IN 2012**

The following arrangements between the European Union and Norway shall apply provisionally during 2012:

1. The fishery conducted under the access arrangement shall be conducted in accordance with the technical regulations (including opening and closing dates) applicable to the waters of the Party granting access.
2. The European Union and Norway shall have full access to fish their respective shares of the North Sea TAC in the waters of the other Party in the waters of ICES Division IVa. The mutual access regime and TAC are set out in Table 1 of this Agreed Record.
3. The European Union shall, within the sharing arrangement mentioned under point 2, be allocated an additional fixed component of 1,865 tonnes, which may be fished in ICES Divisions IVa and IIIa, including the Norwegian Economic Zone of those areas.
4. Norway shall transfer a quota of 10,463 tonnes, equivalent to 10.8% of the Norwegian catch limit in the Norwegian Sea, to the European Union for fishing in ICES Divisions IIa and IVa.
5. The European Union shall transfer a quota of 10,463 tonnes, identical to the quota specified under point 4, to Norway for fishing in European Union waters of ICES Divisions IIa, VIa (north of 56° 30'), VIIId, e, f, h and IVa.
6. The following access arrangements shall apply for 2012:

For the European Union:

- a. Full access to the Norwegian Economic Zone of ICES Division IVa for the mackerel quotas that the European Union authorises to be fished in its own waters of ICES Division IVa.
- b. Access to the Norwegian Economic Zone of ICES Division IIa for a tonnage equivalent to 20% of the tonnage permitted under point 6.a above. Deducted from this quantity is any catch taken in ICES Division IIa under the reciprocal exchange of quotas mentioned in point 4.

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For Norway:

- c. Full access to the EU Zone of ICES Division IVa for the mackerel quotas that Norway authorises to be fished in the Norwegian Economic Zone of ICES Division IVa.
  - d. Access to the EU Zone of ICES Division VIa (north of 56 30') for a tonnage equivalent to 20% of the tonnage permitted under point 6.c above. Deducted from this quantity is any catch taken in ICES Division VIa under the reciprocal exchange of quotas mentioned in point 5.
7. The quotas on access and transfer given above is not intended to reflect the transfer and access arrangement set out in the Agreed Record of Conclusions of Fisheries Consultations between the European Union and Norway on the management of mackerel in the North-East Atlantic, signed on 26 January 2010, but are *ad hoc* quotas.
8. Licence arrangements shall be agreed upon at a later stage. *akw*



**ARRANGEMENTS ON THE LONG-TERM MANAGEMENT  
OF THE MACKEREL STOCK**

The Delegations agreed to implement a long-term management plan for the mackerel stock in the North-East Atlantic for 2012 and subsequent years, which is consistent with a precautionary approach and designed to provide for sustainable fisheries and a greater potential yield. The long-term management plan shall consist of the following elements:

1. For the purpose of this long-term management plan, SSB means the estimate according to ICES of the spawning stock biomass at spawning time in the year in which the TAC applies, taking account of the expected catch.
2. When the SSB is above 2,200,000 tonnes, the TAC shall be fixed according to the expected landings, as advised by ICES, on fishing the stock consistent with a fishing mortality rate in the range of 0.20 to 0.22 for appropriate age groups as defined by ICES.
3. When the SSB is lower than 2,200,000 tonnes, the TAC shall be fixed according to the expected landings, as advised by ICES, on fishing the stock at a fishing mortality rate determined by the following:

$$\text{Fishing mortality } F = 0.22 * \text{SSB} / 2,200,000$$

4. Notwithstanding paragraph 2, the TAC shall not be changed by more than 20% from one year to the next, including from 2010 to 2011.
5. In the event that the ICES estimate of SSB is less than 1,670,000 tonnes, the Parties shall decide on a TAC which is less than that arising from the application of paragraphs 2 to 4.
6. The Parties may decide on a TAC that is lower than that determined by paragraphs 2 to 4.
7. The Parties shall, as appropriate, review and revise these management measures and strategies on the basis of any new advice provided by ICES.



TABLE 1

JOINT STOCK QUOTAS IN THE NORTH SEA FOR 2012

Species and ICES Area	TAC	Zonal Attachment				Transfer from Norway to European Union <sup>(6)</sup>	Transfer from EU to Norway <sup>(6)</sup>	Quota to Norway		Quota to European Union	
		Norway		European Union				Total	EU Zone <sup>(1)</sup>	Total	Norwegian Zone <sup>(1)</sup>
		%	Tonnes	%	Tonnes						
Mackerel IV, IIIa	54,582 <sup>(2)</sup>		35,145		19,437	-----	-----	35,145 <sup>(3)</sup>	35,145 <sup>(3)</sup>	19,437 <sup>(4)</sup>	19,347 <sup>(4)</sup>

- (1) Any part of this allocation not taken may be added to the allocation in the Party's own zone
- (2) Includes a fixed component of 1,865 tonnes
- (3) May be fished in ICES Division IVa only, except for 3,000 tonnes, which may be fished in ICES Division IIIa
- (4) Of which no more than 6,000 tonnes may be fished in ICES Divisions IVb, IVc and IIIa

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